

PANEL OF CHAIRMEN

Mr. SPEAKER.—Under rule 9 of the Rules of Procedure and Conduct of Business in the Mysore Legislative Assembly, the following members form the Panel of Chairmen :

1. Dr. R. Nagan Gowda
2. Sri Alur Hanumanthappa
3. Smt. K. S. Nagarathnamma
4. Sri G. B. Shankar Rao.

CONDOLENCE REFERENCES

Mr. SPEAKER.—I regret to have to inform the House of the death of Sri H. Rayan Goud, a sitting member of the Assembly, and I desire, on behalf of the House, to express our sense of the loss we have sustained and our sympathy with the relatives of the deceased.

I also regret to have to inform the House of the deaths of Sri S. Srinivasa Iyengar, an ex-Member of the Legislative Assembly, and Sri K. L. Nanjappa Nadig, an ex-Member of the Representative Assembly, and I desire, on behalf of the House, to express our sense of the loss we have sustained and our sympathy with the relatives of the deceased.

I request the Hon'ble Members to stand in silence for two minutes as a mark of respect.

(The Members observed two minutes silence standing).

Mr. SPEAKER.—The condolence reference of this House will be conveyed to the members of the bereaved family.

New Leader of the Opposition.

Mr. SPEAKER.—Now, I have to announce another thing. The following letter has been received from the Secretary of the Praja Socialist Legislature Party :—

“I wish to inform you that Sri V. Srinivasa Shetty, Sri U. M. Madappa and Sri B. K. Puttaramiah, are elected as Leader, Secretary and Whip respectively

in accordance with the Praja Socialist Legislature Party Constitution and as such I request you kindly to bring the same to the notice of the Hon'ble Speaker in order to accord recognition on the floor of the Assembly.”

Laying of Notifications on the Table of the House.

Mr. SPEAKER.—On the 29th October 1958, Government laid on the Table of the House a number of notifications under the following enactments :—

- (1) Mysore Motor Vehicles Taxation Act, 1957 ;
- (2) Motor Vehicles Act, 1939 (Central Act IV of 1939);
- (3) Mysore Stamp Act, 1900 ;
- (4) Mysore Stamp Act, 1957 ;
- (5) Hyderabad Houses (Rent, Eviction and Lease) Control Act, 1954 ;
- (6) Mysore House Rent and Accommodation Control Act, 1951 ;
- (7) Madras Cultivating Tenants (Payment of Fair Rent) Act, 1956 ;
- (8) Mysore Cinematograph Shows Tax Act, 1951 ;
- (9) Mysore Agricultural Income-tax Act, 1957 ;
- (10) Bombay Village Panchayat Act, 1933 ;
- (11) Agricultural Produce (Development and Warehousing) Corporations Act, 1956.

At that stage, objection was taken by some members to the effect that many of these notifications were issued in 1956 and 1957 and should have been laid on the Table of the House very much earlier. I said I would look into this matter. Later, Hon'ble Members Sri M. C. Narasimhan and Sri Venkatai Gowda gave me a written notice raising the same objection of delay which deprived the legislature of a right to make modifications in time to the notifications and also raising another objection, namely, that some of these notifications referred to the old State of Mysore

(MR. SPEAKER)

prior to reorganisation and therefore they should not have been placed before the present Assembly.

I have taken some time because I was anxious to look into each enactment and each notification before I gave my ruling. I find that eight notifications under the Mysore Motor Vehicles Taxation Act 1957 relate to exemption from tax or reduction in tax in respect of individual vehicles used for purposes unconnected with commercial enterprise. Three notifications under the same Act relate to a similar reduction in tax in respect of some stage carriages and motor vehicles of some collegiate institutions and the Tungabhadra Board. Other notifications relate to amendment to rules. Similarly, the notification under the Motor Vehicles Act 1939 (Central Act 1939) relates to amendments to rules. Notifications under the Mysore Stamp Act 1900 relate to remission of duty in respect of certain instruments. The notification, dated 1st April 1958 under the Mysore Stamp Act, relates to Mysore Stamp Rules 1958. The notification, dated 17th July under Section 17 of the Madras Cultivating Tenants (Payment of Fair Rent) Act, 1956 as in force in the Madras Area relates to the framing of rules under the said Act. The notifications under the Cinematograph Act all exclusively relate to exemption of individual cinematograph shows usually given in aid of some poor or needy institutions. The notification issued under the Mysore Agricultural Income Tax Act 1957 relates to amendments to rules. The notifications in respect of the Bombay Village Panchayats Act 1933 prescribe the number of seats reserved for representatives of women and Scheduled Castes in various Panchayats.

Every one of the Acts under which these notifications have been issued provides that such notifications should as soon as possible after they are made be placed on the Table of either one or both of the Houses and shall be subject to such modifications as may be made by the Legislature. Except in regard to notifications exempting individual

cinema shows, a perusal of the entire set of notifications laid on the Table of the House will indicate that many of them relate to important matters like the framing of the rules under the Mysore Stamp Act 1957 or the Madras Cultivating Tenants Act 1956 and the like and any delay in placing these rules and notifications before the House would thus amount to a deprivation of a very valuable right which has been conferred on the Members of the Legislature by the parent Statute.

So far as the notifications under the Cinematograph Act are concerned, I find from the correspondence between the Legislature Secretariat and the Government that the delay was due to a doubt as to whether these notifications relating to the old Mysore State should not be laid before the Table of the Legislature of the new State. The legal view being that notifications should be so laid, the Government have done so.

Speaking generally, I feel that whenever a notification is issued or rules are made under a Statute which requires that they should be laid as soon as possible on the Table of the House, Government should do so as soon as possible. If the House is in session, the notification should be laid as soon as it is made. If the House is not in session, such notification should be laid on the Table when the House meets next. It is not necessary for me to examine whether failure to lay these notifications on the Table of the House would render them void or inoperative. All I am now concerned with is to see that rights conferred on members are available to them.

On two previous occasions in the old State of Mysore, similar observations were made.

Sri G. VENKATAI GOWDA (Palaiyam).—We have not been heard before the Chair was pleased to give a ruling. So far as special notifications are concerned, there is a special provision in the Act itself that the said notifications should be laid on the Table of the House as soon as they are published.

Mr. SPEAKER.—They should be placed on the Table as soon as they are made.

SRI V. S. PATIL (Belgaum I).—On a point of order. Just now, when the Hon'ble Speaker was reading papers standing, I have seen some Ministers leaving their seats and moving here and there. I should like to know as to whether the Ministers are entitled to stand or walk out when the Speaker is on his legs?

MR. SPEAKER.—I have also noticed that such a thing has happened. I am taking up this matter with them separately. But, as the Hon'ble Member has just now said, no one, be he a Minister or a Member, is entitled to do like that.

Leave of Absence.

MR. SPEAKER.—I have received a letter from Sri Y. Ramakrishna requesting leave of absence from the House for three weeks as he has been deputed by the Government of Mysore to attend the Orientation Training Course at the Central Institute of Study and Research on Community Development.

Is it the pleasure of the Assembly that permission be granted to Sri Y. Ramakrishna for remaining absent from all meetings of the Assembly for three weeks during the current session?

HON'BLE MEMBERS.—Yes.

MR. SPEAKER.—Permission to remain absent is granted.

PAPERS LAID ON THE TABLE

NOTIFICATIONS.

SRI KADIDAL MANJAPPA (Minister for Revenue).—Sir, on behalf of the Chief Minister, I beg to relay on the Table the following Notifications:—

Notification No. HD 168 MVT 57, dated 1st May 1958.

Notification No. HD 22(a) MVT 58, dated 2nd May 1958.

Notification No. HD 38 TST 57, dated 17th May 1957.

Notification No. HD 5 MVT 58, dated 2nd June 1958.

Notification No. HD 45 MVT 58 dated 31st May 1958.

Notification No. HD 42 MVT 58, dated 22nd May 1958.

Notification No. HD 36 MVT 58, dated 21st May 1958.

Notification No. HD 22 MVT 58, dated 2nd May 1958.

Notification No. HD 47 MVT 58, dated 11th July 1958.

Notification No. HD 7 MVF 58, dated 2nd July 1958.

Notification No. HD 90 MVT 58, dated 6th August 1958.

Notification No. HD 142 MVT 58, dated 31st July 1958.

Notification No. HD 165 MVT 57, dated 13th August 1958.

Notification No. HD 88 MVT 58, dated 21st August 1958.

Notification No. 27(2) MVT, dated 3rd April 1958.

Notification No. 126 MVT, dated 19th April 1958.

Notification No. 1 D 5 MVA 57, dated 31st October 1958.

Notification No. HD 200(2) MVA 57, dated 21st October 1958.

Notification No. 128(2) MVT 58, dated 28th October 1958 issued under sub-section (1) of section 16 and section 22 of the Mysore Motor Vehicles Taxation Act, 1957.

Notification No. HD 1 CEE 58, dated 21st June 1958 issued under sub-section (1) of section 10 of the Mysore Cinemas Registration Act, 1952.

Notification No. HD 5 MVF 58, dated 14th October 1958 issued under clause (1) of sub-section (2) of section 68 read with section 63(1) of the Motor Vehicles Act, 1939.

Notification No. RD 14 RGN 58, dated 19th March 1958.

Notification No. RD 1 SPS 58-1, dated 25th March 1958.

Notification No. RD 14 RGN, dated 1st April 1958.

Notification No. RD 14 RGN, dated 1st April 1958.

Notification No. RD 41 RGN 57, dated 19th December 1957.

Notification No. RD 1 SPS 58, dated 21st January 1958.

Notification No. RD 79 ERS 57, dated 14th March 1958.